

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 4-16-2013	NEED RESPONSE BY: 4-23-2013
2. REQUESTOR NAME: Margarita Cabral	6. COUNTY/ORGANIZATION: County of Ventura	
3. PHONE NO.: 805-477-5362	7. SUBJECT: Dates on NOMI and Denial notice	
4. REGULATION CITE(S): 63-300.4, 63-504.6	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  63-300.4, 63-504.6; MPP 63-300.461; and MPP 63-301.32	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

We would like clarification and confirmation of the correct date entries on the Notice of Missed interview (NOMI) at initial interview and date of denial for failure to attend interview.

NOMI should read, "You must complete your interview with us by \_\_ (date) \_\_". This date should be 30 days after the application date or first working day after the 30th day, if the 30th day falls on a weekend or holiday.

Example: Application date is 3-1-2013. Client should have until 3-30-2013 to comply. If the 30th day falls on a Saturday the date entered on the NOMI would be Monday April 1st, instead of 3-30-2013. (If Monday were a holiday the date entered would be Tuesday April 2nd). If this same household does not comply, the denial action will take place on Monday April 1st. When this denial action is taken on April 1st the denial notice will be issued in an overnight batch process and dated 4-2-13 or if issued manually the date will be Monday 4-1-13. Both dates would be correct.

10. REQUESTOR'S PROPOSED ANSWER:

We believe that the above process is correct. If the denial notice is issued manually with a date of April 1st or if the denial action occurs on April 1st and the notice is issued through batch process and dated April 2nd then both notices are correct. What is important is that the household has been given the correct date by which they must comply on the NOMI which is the 30th day or the first working day following the 30th day, in this case April 1st. And regardless of the date of the notice being 4-1 or 4-2, if the household complies on the 30th day (Monday 4-1 in this case) then the application can still be processed.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Yes. Per MPP 63-301.32 and MPP 300.461, if a household (HH) misses its first scheduled interview, the county would send a NOMI to the HH as soon as possible and would reschedule an interview if the HH requests another interview. The county cannot deny the application prior to the 30th day after the initial application if the HH fails to appear for the first scheduled interview.

In order to comply with the previously mentioned MPP sections, if the 30th day falls on a weekend or holiday, the application would be denied the first working day after the weekend or holiday in order not to deny the case prior to the 30th day. (cont'd on pg. 2)

### FOR CDSS USE

DATE RECEIVED: 4-16-13	DATE RESPONDED TO COUNTY/ALJ: 5-17-13
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**CALFRESH (CF) PROGRAM**  
**REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 4-16-13	NEED RESPONSE BY: 4-23-13
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4. REGULATION CITE(S): 63-300.4; 63-504.6	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b> MPP 63-300.4; 63.300.461; and 63-301.32	

(cont'd from pg. 1) In the scenario you have presented, April 1 is the correct date to enter on the NOMI if it is the first working day after a weekend. However, if April 1 is a holiday after the weekend, then April 2 would be the correct date to enter on the NOMI. If the HH completes the rescheduled interview by April 1 or April 2 (when April 1 is a holiday), the county would process the application. If the HH does not complete the rescheduled interview by April 1 or April 2 (when April 1 is a holiday), the county's Notice of Denial would be dated April 1 or April 2 respectively, but not earlier.